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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-470

13 **RAMONA M. KIBLER**
14 **AKA RAMONA MANUBAG KIBLER**
15 **8572 Western Avenue, #22**
16 **Buena Park, CA 90620**

A C C U S A T I O N

17 **Registered Nurse License No. 645258**

18 Respondent.

19 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the Executive
22 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

23 2. On or about September 21, 2004, the Board issued Registered Nurse License Number
24 645258 to Ramona M. Kibler, also know as Ramona Manubag Kibler ("Respondent"). The
25 license was in full force and effect at all times relevant to the charges brought herein and will
26 expire on April 30, 2014, unless renewed.

27 **JURISDICTION**

28 3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that
the Board may discipline any licensee, including a licensee holding a temporary or an inactive

1 license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing
2 Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811(b), the Board
6 may renew an expired license at any time within eight years after the expiration.

7 STATUTORY PROVISIONS

8 5. Code section 2761 states, in pertinent part:

9 The board may take disciplinary action against a certified or licensed nurse or
10 deny an application for a certificate or license for the following:

11 (a) Unprofessional conduct...

12 (4) Denial of licensure, revocation, suspension, restriction, or any other
13 disciplinary action against a health care professional license or certificate by another
14 state or territory of the United States, by any other government agency, or by another
California health care professional licensing board. A certified copy of the decision
or judgment shall be conclusive evidence of that action.

15 COST RECOVERY

16 6. Code section 125.3 provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licensee found to have committed a violation or violations of
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
19 enforcement of the case.

20 FIRST CAUSE FOR DISCIPLINE

21 (Out-of-State Discipline)

22 7. Respondent is subject to discipline under Code section 2761(a)(4), in that effective
23 April 23, 2011, pursuant to an Order issued by the Arizona State Board of Nursing, in a
24 disciplinary proceeding titled, *In the Matter of Registered Nurse License No. RN062310 Issued to*
25 *Ramona Kibler*, Respondent's Registered Nursing License Number RN062310, was revoked.
26 However, the revocation was stayed. During the stay of the revocation, Respondent's registered
27 nurse license was placed on suspension for an indefinite period, not to exceed twelve months,
28 pending the completion of a registered nurse refresher course. If the refresher course was not

1 completed within twelve months from the effective date of the Order, the stay was to be lifted and
2 Respondent's license would be automatically revoked for a minimum of five (5) years. Upon
3 successful completion of the terms of the stayed revocation and suspension, Respondent's
4 registered nurse license would be placed on probation for twenty-four months with terms and
5 conditions. The Order was based on numerous Findings of Fact and Conclusion of Law,
6 including the following: While employed at Tempe St. Luke's Hospital, located in Tempe,
7 Arizona, and caring for JM, a diabetic and post alcohol detoxing patient, Respondent did the
8 following: 1) Respondent administered insulin to JM without first performing a glucose check;
9 and, 2) Respondent failed to test JM's glucose levels and perform an alcohol withdrawal
10 assessment at any time during her 12-hour shift. Patient JM's blood sugar dropped to a critically
11 low level, endangering patient JM. The Findings of Fact and Conclusion of Law and Order is
12 attached hereto as **Exhibit A** and incorporated herein by reference.

13 8. Effective June 26, 2012, pursuant to a Consent for Entry of Voluntary Surrender
14 Order No. 10A-0812089-NUR, issued by the Arizona State Board of Nursing in a disciplinary
15 proceeding titled, *In the Matter of Registered Nurse License No. RN062310 Issued to Ramona*
16 *Kibler*, Respondent voluntarily surrendered Registered Nursing License Number RN062310, in
17 that she was unable to complete the registered nurse refresher course, as required. The Consent
18 for Entry of Voluntary Surrender Order No. 10A-0812089-NUR, is attached hereto as **Exhibit B**
19 and incorporated herein by reference.

20 PRAYER

21 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
22 and that following the hearing, the Board of Registered Nursing issue a decision:

23 1. Revoking or suspending Registered Nurse License Number 645258, issued to
24 Ramona M. Kibler, also known as Ramona Manubag Kibler;

25 2. Ordering Ramona M. Kibler, also known as Ramona Manubag Kibler, to pay the
26 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
27 case, pursuant to Code section 125.3; and,

28 ///

1 3. Taking such other and further action as deemed necessary and proper.

2 DATED: December 10, 2012

for 

LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

6
7 SA2011103628
8 10933041.doc

Exhibit A

Findings of Fact and Conclusion of Law and Order

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street Ste 200
Phoenix AZ 85014-3655
602-771-7800

IN THE MATTER OF REGISTERED NURSE
LICENSE NO. RN062310
ISSUED TO:

RAMONA KIBLER,

Respondent.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER NO. 10A-0812089-NUR

On March 23, 2011, the Arizona State Board of Nursing ("Board") considered the State's Motion to Deem Allegations Admitted and Respondent's Response to the Motion, if any, at the Arizona Board of Nursing, 4747 North 7th Street, Suite 200, Phoenix Arizona 85014-3655. Elizabeth A. Campbell, Assistant Attorney General, appeared on behalf of the State. Respondent appeared on her own behalf.

On March 23, 2011, the Board granted the State's Motion to Deem Allegations Admitted. Based upon A.R.S. § 32-1664 (I) and the Complaint and Notice of Hearing No. 10A-0812089-NUR issued in this matter, the Board adopts the following Findings of Fact and Conclusions of Law, and issues a **STAYED REVOCATION** with Indefinite Suspension pending the successful completion of an RN refresher course, to be completed with twelve (12) months of the effective date of this Order or the RN license shall be automatically revoked for a minimum period of five years. If Respondent successfully completes the RN refresher course within twelve months, her registered nurse license will be placed on 24-months standard probation with terms and conditions.

PARTIES

1. The Arizona State Board of Nursing ("Board") has the authority to regulate and control the practice of nursing in the State of Arizona, pursuant to A.R.S. §§ 32-1606, -1663, and -1664. The

1 Board also has the authority to impose disciplinary sanctions against the holders of nursing
2 licenses/nursing assistant certificates for violations of the Nurse Practice Act, A.R.S. §§ 32-1601 to -
3 1667.
4

5 2. Ramona Kibler ("Respondent") holds Board-issued registered nurse license number
6 RN062310 in the State of Arizona.

7 FINDINGS OF FACT

8 1. On December 15, 2008, the Board received a complaint against Respondent's license
9 from the director of nursing at Tempe St. Luke's Hospital, alleging that Respondent failed to provide
10 adequate care to a patient in October 2008. Based upon the complaint, the Board conducted an
11 investigation.
12

13 2. From on or about August 18, 2008 to on or about November 13, 2008, Respondent was
14 employed as registered nurse at Tempe St. Luke's Hospital in Tempe, Arizona.
15

16 3. Patient JM was admitted to Tempe St. Luke's on October 16, 2008, complaining of
17 chest pain and nausea after completing detox. JM was diabetic.

18 4. According to the medical records, JM was to receive insulin injections each morning
19 and each evening.
20

21 5. On October 18, 2008, Respondent worked the night shift at Tempe St. Luke's from 7:00
22 p.m. on October 18 to 7:00 a.m. on October 19.

23 6. JM's insulin injection was due at 9:00 p.m. on October 18, 2008. At 12:35 a.m. on
24 October 19, 2008, without performing a glucose check, Respondent injected JM with 49 units of
25 Novolin N insulin.
26

27 7. It is standard of care to check blood glucose levels often. Respondent failed to test
28 JM's glucose levels at any point during her 12-hour shift. Further, in a hospital setting, it is the
29

1 standard of care to test glucose levels before administering insulin. Respondent failed to test JM's
2 glucose levels before administering insulin to JM at 12:35 a.m. on October 19, 2008.

3 8. The oncoming dayshift RN tested JM's blood sugar at 6:49 a.m. on October 19, 2008.
4 At 6:49 a.m., JM's glucose level was 37 mg/dl, which is critically low. At 6:52 a.m. on October 19,
5 2008, JM's glucose level remained at 37 mg/dl. The dayshift nurse gave JM 1 ampule of dextrose
6 50% to normalize his blood sugar. Having critically low blood sugar endangers a patient.

7 9. According to the admission orders, alcohol withdrawal guidelines per protocol were
8 ordered for JM on October 17, 2008. According to the alcohol withdrawal guidelines, patients were to
9 be assessed for withdrawal symptoms every 2 to 4 hours in the first 24 hours and every 4 hours
10 thereafter. Respondent failed to perform an alcohol withdrawal assessment at any point during her 12
11 hour shift.

12 10. According to her employment records from St. Luke's Hospital, effective November
13 13, 2008, Respondent voluntarily resigned and is deemed ineligible for re-hire.

14 11. From on or about September 18, 2006 to on or about May 19, 2008 Respondent was
15 employed as a staff nurse at Banner Baywood Medical Center (BBMC) in Mesa, Arizona.

16 12. According to her employment records from BBMC, on or about October 18, 2007,
17 Respondent was given a corrective action for absences. It is critical that nurses show up for their
18 scheduled shifts in order to make sure that patient needs can be met.

19 13. According to her employment records from BBMC on or January 21, 2008, Respondent
20 was given an advanced reminder for absences.

21 14. While working at BBMC, Respondent was responsible for creating multiple narcotic
22 discrepancies.

15. According to her employment records from BBMC, on or about May 14, 2008, Respondent was given a Decision Making Leave for not following BBMC standards regarding narcotic discrepancies, patient care, and inability to provide adequate patient updates to the clinical manager.

16. According to her employment records from BBMC, on or about May 19, 2008, Respondent voluntarily resigned and was deemed ineligible for re-hire.

CONCLUSIONS OF LAW

1. If the Board determines that a licensee has committed an act of unprofessional conduct, it may take disciplinary action. A.R.S. §§ 32-1663(D) and -1664(N).

2. The conduct and circumstances described in the Findings of Fact, including specifically paragraphs 6, 7, 8, 9, 12, 13, 14 and 15, constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(d) (any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public) (effective May 2, 2002).

3. The conduct and circumstances described in the Findings of Fact, including specifically paragraphs 6, 7, 8, 9, 12, 13, 14 and 15, constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(h) (committing an act that deceives, defrauds, or harms the public) (effective May 2, 2002).

4. The conduct and circumstances described in the Findings of Fact, including specifically paragraphs 6, 7, 8, 9, 12, 13, 14 and 15, constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j) (violating a rule that is adopted by the board pursuant to this chapter) (effective May 9, 2002).

5. For purposes of A.R.S. § 32-1601(16)(d) (effective May 9, 2002), the conduct described in the Findings of Fact, including specifically paragraphs 6, 7, 8, 9, 12, 13, 14 and 15, constitute conduct or practice that is or might be harmful or dangerous to the health of a patient or the public pursuant to A.A.C. R4-19-403(B)(1) (a pattern of failure to maintain minimum standards of

1 acceptable and prevailing nursing practice) (effective November 12, 2005).

2 6. For purposes of A.R.S. § 32-1601(16)(d) (effective May 9, 2002), the conduct
3 described in the Findings of Fact, including specifically paragraphs 6, 7, 8, 9, 12, 13, 14 and 15,
4 constitute conduct or practice that is or might be harmful or dangerous to the health of a patient or the
5 public pursuant to A.A.C. R4-19-403(B)(9) (failing to take appropriate action to safeguard a patient's
6 welfare or follow policies and procedures of the nurse's employer designed to safeguard the patient)
7 (effective November 12, 2005).
8

9 7. For purposes of A.R.S. § 32-1601(16)(d) (effective May 9, 2002), the conduct
10 described in the Findings of Fact, including specifically paragraphs 6, 7, 8, 9, 12, 13, 14 and 15,
11 constitute conduct or practice that is or might be harmful or dangerous to the health of a patient or the
12 public pursuant to A.A.C. R4-19-403(B)(31) (practicing in another other manner which gives the
13 Board reasonable cause to believe that the health of a patient or the public may be harmed) (effective
14 November 12, 2005).
15
16

17 ORDER

18 Pursuant to A.R.S. § 32-1664(N), the Board issues a STAYED REVOCATION with Indefinite
19 Suspension pending the successful completion of an RN refresher course, to be completed with twelve
20 (12) months of the effective date of this Order or the RN license shall be automatically revoked for a
21 minimum period of five years. If Respondent successfully completes the RN refresher course within
22 twelve months, her registered nurse license will be placed on 24-months standard probation with terms
23 and conditions.
24
25

26 A. Respondent's registered nurse license number RN0623140 is hereby revoked; however,
27 the revocation is stayed for as long as Respondent remains in compliance with this Order. During the
28 stay of the revocation, Respondent's registered nurse license is placed on suspension for an indefinite
29

1 period not to exceed twelve months pending the completion of a registered nurse refresher course. If
2 the refresher course is not completed within twelve months from the effective date of this Order, the
3 stay shall be lifted and Respondent's license automatically revoked for a minimum period of five (5)
4 years. Upon successful completion of the terms of the Stayed Revocation Indefinite Suspension,
5 Respondent's registered nurse license will be placed on a twenty-four months Probation with terms and
6 conditions. Prior to termination of probation, Respondent shall work as a registered nurse for a
7 minimum of twelve months (not less than sixteen hours a week).
8

9
10 B. If Respondent is noncompliant with any of the terms of the Order during the 12-month
11 (maximum) stayed revocation period, the stay of the revocation shall be **lifted and Respondent's**
12 **license shall be automatically revoked for a minimum period of 5 years**. **Respondent waives any**
13 **and all rights to any further review, hearing, rehearing or judicial review of any revocation**
14 **imposed pursuant to this paragraph**.
15

16 C. If Respondent is noncompliant with any of the terms of the Order during the 24-month
17 probation period, the Board or its designee, in its sole discretion, shall determine the noncompliance
18 with the Order. Respondent waives any and all rights to any further review, hearing, rehearing or
19 judicial review of any suspension imposed pursuant to this paragraph.
20

21 D. At any time Respondent is required by terms of the Order to provide a copy of the Order
22 to another individual or facility Respondent must provide all pages of the Order.
23

24 E. If Respondent is convicted of a felony, Respondent's certificate shall be automatically
25 revoked for a period of five years. Respondent waives any and all rights to a hearing, rehearing or
26 judicial review of any revocation imposed pursuant to this paragraph.
27
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1 F. The suspension is subject to the following terms and conditions:

2 **TERMS OF STAYED REVOCATION/INDEFINITE SUSPENSION**

3 1. Surrender of License

4
5 Within seven (7) days of the effective date of the Order, Respondent shall surrender her
6 license to the Board and Respondent shall not practice nursing for an indefinite period pending the
7 successful completion of a Board-approved registered nurse refresher course.

8 2 Refresher Course to be Completed Within 12 Months

9
10 Within thirty (30) days of the effective date of this Order, Respondent shall submit to the
11 Board or its designee a plan for enrollment into a Board-approved RN Nurse Refresher Course/Reentry
12 Program ("Program") which must be completed within twelve (12) months from the effective date of
13 this Order. Upon approval of Respondent's plan for enrollment by the Board or its designee,
14 Respondent shall provide a copy of this Order to include Findings of Fact and Conclusions of Law to
15 the Program Director. Within three (3) calendar days of acceptance into the Program, Respondent shall
16 cause the Program Director to inform the Board in writing, and on school letterhead, acknowledgment
17 of the Program's receipt of a copy of this Order. Upon verification of Respondent's admission into the
18 Program, Respondent shall be issued a temporary license stamped "REFRESHER COURSE ONLY
19 and Valid in AZ Only" solely for the purpose and time period required to complete the program. If
20 Respondent does not enroll in the program or if Respondent does not successfully complete the
21 program within twelve (12) months of the effective date of this Order, Respondent's "Refresher Course
22 Only" license shall not be extended, and Respondent's registered nurse license no. RN062310 shall be
23 automatically revoked for a minimum period of five (5) years. Respondent waives any and all rights
24 to any further review, hearing, rehearing or judicial review of any suspension imposed pursuant
25 to this paragraph.
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1 Following the completion of the course or program, the Board or its designee may administer an
2 examination to test Respondent's knowledge of the course content. Upon Respondent's provision of
3 written proof of attendance and successful completion of the course or program, Respondent may be
4 issued a license stamped "Probation."
5

6 3. Completion of Suspension

7 After Respondent has successfully completed the terms of the Stayed Revocation/Indefinite
8 Suspension as determined by the Board's designee, Respondent's license shall be placed on twenty-
9 four months (24-months) probation with terms and conditions.
10

11 TERMS OF STAYED REVOCATION/INDEFINITE SUSPENSION AND STANDARD 12 PROBATION

13 1. Renewal of License

14 If Respondent's registered nursing license is expired at the time of the effective date of
15 this Order, Respondent must renew the license within seven (7) days of the effective date. In the event
16 the registered nurse license is scheduled to expire during the duration of this Order, Respondent shall
17 apply for renewal of the registered license and pay the applicable fee before the expiration date. Failure
18 to renew within seven (7) days of the effective date of this Order, if it is expired, or failure to renew a
19 license by the last date in which the license is to expire, shall be considered as noncompliance.
20
21

22 2. Release of Information Forms

23 Respondent shall sign all release of information forms as required by the Board or its
24 designee and return them to the Board within ten (10) days of the Board's written request. Failure to
25 provide for the release of information, as required by this paragraph constitutes noncompliance with
26 this Order.
27
28
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1 3. Interview with the Board or it's Designee

2 Respondent shall appear in person or if residing out of state, telephonically for
3 interviews with the Board or its designee upon request and with at least two (2) days notice.

4 4. Change of Employment/Personal Address/Telephone Number

5 Respondent shall notify the Board, in writing, within seven (7) days of any change in
6 nursing employment, personal address or telephone number.

7 5. Obey All Laws

8 Respondent shall obey all laws/rules governing the practice of nursing in this state and obey all
9 federal, state and local criminal laws. Respondent shall report to the Board, within ten (10) days, any
10 misdemeanor or felony arrest or conviction.

11 6. Costs

12 Respondent shall bear all costs of complying with this Order.

13 7. Voluntary Surrender of License

14 Respondent may, at any time this Order is in effect, voluntarily request surrender of her
15 license.

16 8. Violation of Terms of Consent Agreement and Order

17 During the stayed revocation portion of the Order, if Respondent is noncompliant with
18 the terms of the Order, the Stay of Revocation shall be lifted and Respondent's license shall
19 automatically be revoked for five (5) years. Respondent waives any and all rights to any further
20 review, hearing, rehearing or judicial review of any suspension imposed pursuant to this
21 paragraph.

22 During the standard probation portion of the Order, if Respondent is noncompliant with
23 the terms of the Order in any respect, the Board staff may notify the Respondent's employer of the non-
24

1 compliance. Additionally, the Board may revoke probation and take further disciplinary action for
2 noncompliance with this Order after affording Respondent notice and the opportunity to be heard. If a
3 complaint or petition to revoke probation is filed against Respondent during probation, the Board shall
4 have continuing jurisdiction until the matter is final, and the period of probation shall be extended until
5 the matter is final.
6

7 TERMS OF STANDARD PROBATION

8 1. Stamping of License

9
10 Following completion of the Stayed Revocation Suspension, Respondent's license shall
11 be stamped "Probation" and returned to Respondent. While this Order is in effect, if the Board issues
12 any certificates or licenses authorized by statute, except a nursing assistant certificate, such certificate
13 or license shall also be stamped "PROBATION." Respondent is not eligible for a multistate
14 "Compact" license.
15

16 2. Notification of Practice Settings

17 Any setting in which Respondent accepts employment, which requires RN licensure,
18 shall be provided with a copy of the entire Order on or before the date of hire. Within three (3)
19 calendar days of Respondent's date of hire, Respondent shall cause her immediate supervisor to inform
20 the Board, in writing and on employer letterhead, acknowledgment of the supervisor's receipt of a copy
21 of this Order and the employer's ability to comply with the conditions of probation.
22

23 In the event Respondent is attending a nursing program, Respondent shall provide a
24 copy of the entire Order to the Program Director. Respondent shall cause the Program Director to
25 inform the Board, in writing and on school letterhead, acknowledgment of the program's receipt of a
26 copy of the Order and the program's ability to comply with the conditions of probation during clinical
27 experiences.
28
29

1 3. Quarterly Reports

2 Within thirty (30) days of the effective date of this Order, and quarterly thereafter,
3 Respondent shall cause every employer Respondent has worked for to submit to the Board, in writing,
4 quarterly employer evaluations on the Board-approved form. In the event Respondent is not employed
5 in nursing or attending school during any quarter or portion thereof, Respondent shall submit to the
6 Board, in writing, a self-report describing other employment or activities on the Board-approved form.

7 Receipt of confirmation of employment disciplinary action, including written
8 counseling(s), suspension, termination or resignation in lieu of termination from a place of
9 employment, any of which pertains to improper patient care, unsafe practice, inappropriate medication
10 removal or administration, sub-standard documentation, or impairment on duty, positive drug test
11 showing evidence of any drug other than an authorized drug, and/or refusal to submit to an employer
12 requested drug screen/testing, shall be investigated by Board staff and reviewed and substantiated by
13 the Board's designee. If so investigated, reviewed and substantiated, the employment disciplinary
14 action shall be considered as noncompliance with the terms of the Order. Failure to provide employer
15 evaluations or if not working in nursing, self-reports, within seven days of the reporting date is also
16 noncompliance with this Order and is not subject to further review.

17 4. Practice Under Direct Supervision

18 Respondent shall practice as a registered nurse, only under the direct supervision of a
19 registered nurse in good standing with the Board. *Direct supervision is defined as having a registered*
20 *nurse present on the same unit with Respondent whenever Respondent is practicing as a registered*
21 *nurse.* The supervising nurse shall have read this Order to include the Findings of Fact and
22 Conclusions of Law, and shall provide input on Respondent's employer evaluations to the Board. The
23 supervising nurse shall be primarily one person, who may periodically delegate to other qualified
24
25
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1 personnel, who shall also have read this Order to include Findings of Fact, Conclusions of Law. In the
2 event that the assigned supervising nurse is no longer responsible for the supervision required by this
3 paragraph, Respondent shall cause her new supervising nurse to inform the Board, in writing and on
4 employer letterhead, acknowledgment of the new supervisor's receipt of a copy of this Order to include
5 the Findings of Fact and Conclusions of Law and the new supervising nurse's agreement to comply
6 with the conditions of probation within ten (10) days of assignment of a new supervising nurse.
7

8 5. Acceptable Hours of Work
9

10 Respondent shall work only the day or evening shift. Evening shift is defined as a shift
11 that ends prior to midnight. Within a 14-day period Respondent shall not work more than 84 scheduled
12 hours.
13

14 Respondent may work three 12-hour shifts in one seven day period and four 12-hour shifts in
15 the other seven-day period, but Respondent may not work more than 3 consecutive 12-hour shifts
16 during this probationary period. Respondent shall not work 2 consecutive 8 hour shifts within a 24
17 hour period or be scheduled to work 16 hours within a 24 hour period.
18

19 6. Registry Work Prohibited
20

21 Respondent may not work for a nurse's registry, home health, traveling nurse agency, any
22 other temporary employing agencies, float pool, or position that requires on-call status.
23

24 7. Out of State Practice/Residence
25

26 Before any out-of-state practice or residence can be credited toward fulfillment of these
27 terms and conditions, the Board must first approve out-of-state practice or residence. *The Board*
28 *allowed Respondent to complete the terms of this probation in California with the permission of the*
29 *California Board of Registered Nursing.*

1 8. Violation of Probation

2 If during the stayed revocation portion of the Order, Respondent is non-compliant with
3 the terms of the Order in any way, the stay of revocation shall be lifted and Respondent's license shall
4 be automatically revoked for a period of five (5) years.
5

6 If during the standard probation portion of the Order, Respondent is noncompliant with
7 the terms of the Order in any respect, the Board staff may notify the Respondent's employer of the
8 noncompliance. Additionally, the Board may revoke probation and take further disciplinary action for
9 noncompliance with this Order after affording Respondent notice and the opportunity to be heard. If a
10 complaint or petition to revoke probation is filed against Respondent during probation, the Board shall
11 have continuing jurisdiction until the matter is final, and the period of probation shall be extended until
12 the matter is final.
13

14 9. Completion of Probation

15 Respondent is not eligible for early termination of this Order. Upon successful
16 completion of the terms of the Order, Respondent shall request formal review by the Board, and after
17 formal review by the Board, Respondent's nursing license may be fully restored by the appropriate
18 Board action if compliance with this Order has been demonstrated.
19
20

21 RIGHT TO PETITION FOR REHEARING OR REVIEW

22 Pursuant to A.R.S. § 41-1092.09, Respondent may file, in writing, a motion for rehearing
23 or review within 30 days after service of this decision with the Arizona State Board of Nursing.
24 The motion for rehearing or review shall be made to the attention of Vicky Driver, Arizona State
25 Board of Nursing, 4747 North 7th Street Ste 200, Phoenix AZ 85014-3655, and must set forth
26 legally sufficient reasons for granting a rehearing. A.A.C. R4-19-608.
27

28 For answers to questions regarding a rehearing, contact Vicky Driver at (602) 771-7852.
29 Pursuant to A.R.S. § 41-1092.09(B), if Respondent fails to file a motion for rehearing or review

1 within 30 days after service of this decision, Respondent shall be prohibited from seeking judicial
2 review of this decision.

3 This decision is effective upon expiration of the time for filing a request for rehearing or
4 review, or upon denial of such request, whichever is later, as mandated in A.A.C. R4-19-609.
5

6 DATED this 23rd day of March, 2011.

7 ARIZONA STATE BOARD OF NURSING

8 SEAL

9 *Joey Ridenour R.N. M.N. F.A.A.N.*

10 Joey Ridenour, R.N., M.N., F.A.A.N.
11 Executive Director

12 COPIES mailed this 12th day of April, 2011, by Certified Mail No. 7009 0080 0000 0431 6509 and
13 First Class Mail to:

14 Ramona Kibler
15 2724 S Fallingstar Rd
16 Gold Canyon AZ 85118

17 COPIES mailed this 2nd day of June, 2011, by First Class Mail to:

18 Elizabeth A. Campbell
19 Assistant Attorney General
20 1275 W Washington, LES Section
21 Phoenix AZ 85007
22

23 By: Vicky Driver
24
25
26
27
28
29

Exhibit B

The Consent for Entry of Voluntary Surrender Order No. 10A-0812089-NUR

ARIZONA STATE BOARD OF NURSING
4747 North 7th Street, Suite 200
Phoenix, Arizona 85014-3655
602-771-7800

IN THE MATTER OF REGISTERED
NURSE LICENSE NO. RN062310
ISSUED TO:

RAMONA MANUBAG KIBLER
RESPONDENT

CONSENT FOR ENTRY OF
VOLUNTARY SURRENDER
ORDER NO. 10A-0812089-NUR

A complaint charging ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. § 32-1605.01(D), Respondent voluntarily surrenders her license for a minimum of 3 years.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued registered nurse license no. RN062310.
2. On or about May 17, 2011, Respondent's Board Order NO. 10A-0812089-NUR became effective (attached and incorporated herein), for a stayed revocation indefinite suspension pending successful completion of a RN refresher course, to be followed by twenty four month standard probation with terms and conditions.

3. On or about May 9, 2012, Respondent requested to voluntarily surrender her license. Respondent asserts is unable to comply with completion of RN refresher course.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and

1 personal jurisdiction in this matter.

2 The conduct and circumstances described in the Findings of Fact constitute a violation of
3 A.R.S. § 32-1601(18) (i)(Failed to comply with a stipulated agreement, consent agreement or board
4 order) (Effective September 30, 2009).
5

6 The conduct and circumstances described in the Findings of Fact constitute sufficient cause
7 pursuant to A.R.S. §§ 32-1605.01(D) and 32-1664(N) to take disciplinary action against Respondent's
8 license to practice as a registered nurse in the State of Arizona.
9

10 Respondent admits the Board's Findings of Fact, Conclusions of Law.

11 In lieu of a formal hearing on these issues, Respondent agrees to issuance of the attached Order
12 and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter.
13

14 Respondent further waives any and all claims or causes of action, whether known or unknown, that
15 Respondent may have against the State of Arizona, the Board, its members, offices, employees and/or
16 agents arising out of this matter.

17 Respondent understands that all investigative materials prepared or received by the Board
18 concerning these violations and all notices and pleadings relating thereto may be retained in the
19 Board's file concerning this matter.
20

21 Respondent understands that the admissions in the Findings of Fact are conclusive evidence of
22 a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any
23 future disciplinary matter.
24

25 Respondent understands the right to consult legal counsel prior to entering into the Consent
26 Agreement and such consultation has either been obtained or is waived.
27

28 Respondent understands that this voluntary surrender is effective upon its acceptance by the
29 Executive Director or the Board and by Respondent as evidenced by the respective signatures thereto.

Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the agreement cannot be withdrawn without the Executive Director or the Board's approval or by stipulation between Respondent and the Executive Director or the Board. The effective date of this Order is the date the Voluntary Surrender is signed by the Executive Director or the Board and by Respondent. If the Voluntary Surrender is signed on a different date, the later date is the effective date.

Respondent understands that Voluntary Surrender constitutes disciplinary action. Respondent also understands that she may not reapply for re-issuance during the period of Voluntary Surrender.

Respondent agrees that she may apply for re-issuance after the period of voluntary surrender under the following conditions, and must comply with current law at the time of their application for re-issuance:

The application for re-issuance must be in writing and shall contain therein or have attached thereto substantial evidence that the basis for the voluntary surrender has been removed and that the re-issuance of the license does not constitute a threat to the public's health, safety and welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and affidavits regarding Respondent as it deems necessary. These conditions shall be met before the application for re-issuance is considered.

SEAL

2012 JUN 20 03:14 PM

Garcia/RN062310/Kibler

Ramona Kibler
Respondent

Date: June 19, 2012

ARIZONA STATE BOARD OF NURSING

Joey Ridenour
Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Dated: 6/24/2012

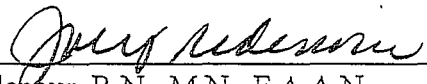
1 ORDER

2 Pursuant to A.R.S. § 32-1605.01(D) the Board hereby accepts the Voluntary Surrender of
3 registered nurse license number RN062310, issued to Ramona Manugab Kibler. This Order of
4 Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the
5 effective date of this Consent Agreement. Respondent shall not practice in Arizona under the
6 privilege of a multistate license.
7

8 IT IS FURTHER ORDERED that Respondent may apply for re-issuance of said license after a
9 period of 3 years.
10

11 SEAL

ARIZONA STATE BOARD OF NURSING

12
13 
14 Joey Rideaux, R.N., M.N., F.A.A.N.
15 Executive Director

16 Dated: 6/26/2012

17 JR/eg

18
19
20 COPY mailed this 6th day of June, 2012, by First Class Mail to:

21 Ramona Manubag Kibler
22 2724 S Fallingstar Rd
23 Gold Canyon AZ 85118

24 By: Esther Garcia
25
26
27
28
29